



# CAL FIRE

## Civil Cost Recovery Program

Wildland fires cost California taxpayers millions of dollars every year. If the California Department of Forestry and Fire Protection's (CAL FIRE) investigation reveals a fire was caused by a violation of law or negligence, the person responsible can be charged criminally, civilly, or both.

CAL FIRE's civil cost recovery program is based on the following principles:

- Fighting fires is very costly to the state's taxpayers.
- The state legislature has determined that if a person causes a fire through willfulness, negligence, or violation of law, that person is responsible for their actions and may be liable for the fire suppression costs.
- Each year, CAL FIRE bills hundreds of people for fire suppression costs. Once the investigation is completed and the cost of fire suppression is determined, the responsible person is sent a "Letter of Demand" which outlines the act of negligence or violation of law that occurred and demands repayment of costs that were spent suppressing the fire. If the person responsible ignores the demand or denies responsibility, civil litigation is initiated and the matter is settled through the courts.
- It is the policy of the Department to actively and aggressively pursue those cases in order to recover those costs.
- The District Attorney in each county prosecutes criminal cases while CAL FIRE works with the State Office of the Attorney General to pursue civil cases.

### Case in Point

- One fire was caused by an individual driving a truck towing a trailer where part of the trailer hitch was dragging on the ground, creating sparks in an area of dry grass, brush and oak trees. This caused a 40 acre fire near Red Bluff in northern California. The responsible person paid the state almost \$37,000.
- Someone near Banning in Riverside County was using a weed trimmer with a metal blade in an area of dry grass, weeds and brush. A 345 acre fire was caused when the blade hit a rock that resulted in the state getting reimbursed one million dollars. The person using the trimmer did not have a shovel or fire extinguisher near-by, which was a violation of the law.
- A fire in southern California, near Temecula, was the result of an individual using a tractor with a faulty exhaust in an area of dry brush and grass. This 1,621 acre fire cost the person responsible \$492,500.
- Lack of adequate clearance near a powerline in Butte County, not far from Lake Oroville, caused a fire that was over 8,000 acres in timber, brush and grass. The result was the destruction of 47 residences and 15 injuries. The utility company and the tree trimming company ultimately reimbursed the State of California over TEN MILLION DOLLARS.



Parents, whose children are responsible for starting fires through negligence, may be liable for up to \$25,000 per child in costs associated with the fire's suppression.

CAL FIRE's Civil Cost Recovery Program helps offset the burden placed on the state's budget by returning recovered dollars to the state's General Fund.

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